7741749/2023/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department – Allegation of corruption and misconduct against Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru – Surprise check conducted on 10.11.2015 – Case of criminal misconduct registered on 17.11.2015 – Disciplinary proceedings initiated – Inquiry under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 - Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No. 57 **Dated:07.08.2023**

Read the following:

1)From the Director General, Anti-Corruption Bureau, AP., Vijayawada, Lr.Rc.No.158/RCO-EWG/2015, dated 28.08.2017.
2)U.O. Note No.1878240/GAD/COI-R/2022-2023, General Administration (COI-R) Department, dated 16.03.2023.

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ORDER:

It is proposed to hold an inquiry against Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II). A list of witnesses by whom, and a list of documents by which, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Attention of Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru, is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be

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presumed that Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru (through the Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri)

Copy to:

The Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)
SF/SC (Computer No.2021392)

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI MD. ABDUL BARI, FORMERLY FOREST SECTION OFFICER AND IN-CHARGE DEPUTY RANGE OFFICER, WILDLIFE MANAGEMENT DIVISION, ELURU SECTION, ELURU

That Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru was working there from 25.11.2014 to 10.11.2015 (till the date of surprise check). While working as such during the aforesaid period, he committed grave misconduct in as much as:

CHARGE-I:

That the Charged Government Servant abused his official position, collected monthly mamools of Rs.1,00,000/- from the villagers of Paidichintapadu for allowing them to conduct traditional fishing in the Kolleru lake under Government orders vide Proc.No. 11982/1999/WL.1, dated 20.07.2006 of Principal Chief Conservator of Forests (Wildlife), and Chief Wildlife Warden (AP), Hyderabad and for not subjecting them to any harassment.

Thus, the Charged Government Servant Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 8(A) r/w 3(1) & 3(2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

CHARGE-II:

That the Charged Government Servant failed to submit his Annual Property Returns during his service from 1999 to 2015 (except for the years 2011, 2014 and 2015).

Thus, the Charged Government Servant Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru by his abovementioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Sub-rule 7 of Rule 9 of APCS (Conduct) Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI MD. ABDUL BARI, FORMERLY FOREST SECTION OFFICER AND IN-CHARGE DEPUTY RANGE OFFICER, WILDLIFE MANAGEMENT DIVISION, ELURU SECTION, ELURU

That Sri Md. Abdul Bari, formerly Forest Section Officer and In-charge Deputy Range Officer, Wildlife Management Division, Eluru Section, Eluru joined in the Government Service as Forest Beat Officer on 16.10.1999 and he worked at Singannappalli Check Post, Polavaram Range, Eluru (T) Division, (2) Eluru Marlagudem Beat, Jangareddigudem Range, (3) Geddapalli Beat, Polavaram Range, Eluru (T) Division, Eluru (4) Barrikonda Beat, Eluru Range (T) Division, Eluru. Later he was promoted as Forest Section Officer on 23.04.2012 and he worked at Chintalapudi Section, Eluru Social Forestry Range, Social Forestry Division, Eluru and he worked from 25.11.2014 to 10.11.2015 (till date of Surprise Check) and he was also In-charge as Deputy Range Officer to Wildlife Division, Eluru as per the instructions of Divisional Forest Officer, Eluru.He is drawing a basic pay of Rs.12,190/- in the TSP Rs.10,020/- to 29,200/-. His date of birth is 12.05.1975. His date of retirement on attaining the age of superannuation is 31.05.2035. He is hereinafter referred to as Charged Government Servant (CGS).

CHARGE-1:

That the Charged Government Servant abused his official position collected monthly mamools of Rs.1,00,000/- from the villagers of Paidichintapadu for allowing them to conduct traditional fishing in the Kolleru lake under Government orders vide Proc.No.11982/1999/WL.1, dated 20.07.2006 of Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden (AP), Hyderabad and for not subjecting them to harassment.

FACTS & EVIDENCE:

On credible information, CGS has been collecting mamools at the house of Sri Saidu Satyanarayana situated at Hanuman Nagar, Eluru, basing on that, a Surprise Check was conducted along with the Inspector and staff of ACB, Eluru Range, Eluru in the presence of mediators at Hanuman Nagar, Eluru on 10.11.2015 from 15:20 hours to 18:00 hours.

During the search, the search party found a wad of currency notes in his right side pant pocket a total of Rs.1,00,000/- and on questioning CGS about the possession of the said cash, first he perturbed and after some time confessed that he received said amount as mamool from Sri Saidu Satyanarayana, President, Krishna, West Godavari Districts Kolleru Regional Agricultural and Fisherman Co-operative Welfare Society, AP., Paidichintapadu Village, Eluru Mandal and three others for allowing them to conduct traditional fishing in the Kolleru lake under Government orders vide Proc.No.11982/1999/WL.1, dated 20.07.2006 of Principal Chief Conservator of Forests(Wildlife)and Chief Wildlife Warden (AP), Hyderabad and for not to harass them, the cash of Rs.1,00,000/- was seized for the purpose of further investigation.

Thus, CGS abused his official position to obtain illegal gratification by collecting mamools from the villagers of Paidichintapadu and thereby committed offence punishable under section 7, 8, 12, 13(2) r/w 13(1)(d) of Prevention of Corruption Act, 1988.

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Since there was a prima-facie case of corruption and criminal misconduct by AO, a report was submitted to the Director General, Anti-Corruption Bureau, A.P, Hyderabad on 12.11.2015 with a request to issue orders to register a case of criminal misconduct against CGS.

On that report, the Director General, Anti-Corruption Bureau, A.P., Hyderabad issued orders to register a case and take up investigation against CGS vide Memo.No.148/DES-EWG/2015, dated 17.11.2015. Accordingly, a case in Cr.No.11/RCO- EWG/2015, U/Sec. 7, 8, 12, 13(2) r/w 13(1)(d) of Prevention of CorruptionAct, 1988 was registered in Anti-Corruption Bureau, Eluru Range, Eluru on 17.11.2015 and investigation taken up.

During the course of investigation, the following oral evidence was collected to substantiate the allegation:

The DSP secured the presence of (1) Sri Saidu Satyanarayana, President, Krishna, West Godavari Districts Kolleru Regional Agricultural and Fisherman Co-operative Well Society, AP Paidichintapadu Village, Eluru Mandal, (2) Sri Mungara Venkateswara Rao, S/o Hanoku, 47 years, Vaddilu by Caste, Sarpanch, Paidichintapadu (v), Eluru Mandal, (3) Sri Penumala Prabhakara Rao, S/oVaka Raju, 50 years, SC-Mala by caste, Vice President Paidichintapadu (V), Eluru Mandal and (4) Sri Moru Varadayya, S/o Bhushanam, 63 years, Vaddilu by caste, Ex-Sarpanch, Paidichintapadu (v), Eluru Mandal at O/o DSP and examined U/s. 161 Cr.P.C and they all stated in one tone that CGS has been harassing unnecessarily for conducting traditional fishing which they can do under Government orders vide Proc.No.11982/1999/WL.1, dated 20.07.2006 of the Principal Chief Conservator of Forests(Wildlife) and Chief Wildlife Warden (AP), Hyderabad in the Kolleru Lake and demanding money for allowing them for traditional fishing of the fishermen of his area of 11 villages and further demanded Rs.1,50,000/- from the villagers of Paidichintapadu, Eluru Mandal for allowing them to carryout traditional fishing and about four thousand people of Paidichintapadu village are eligible for carrying out traditional fishing in Kolleru Lake and villagers approached them as elders of the Fishermen Society and requested them to have a talk with the CGS and therefore requested the CGS but he did not heed their word and finally agreed to take Rs.1,00,000/- as first instalment, therefore collected Rs 1,00,000/- from the villagers of Paidichintapadu and gave Rs.1.00,000/- to the CGS on 10-11-2015 at the residence of Sri Saidu Satyanarayana situated at Hanuman Nagar, Venkatapuram Panchayat, Eluru Mandal, West Godavari District and after sometime, the ACB officials caught the Accused Officer near his house etc facts.

The DSP secured the presence of the following Village Elders of Paidichintapadu Village i.e., (1) Sri Relangi Karuna, S/o Ganga Raju,33 years, Occ:Fishing, Paidichintapadu Village, Eluru Mandal, West Godavari District, (2) Sri Daggumelli Milkyar, S/oSrinivasa Rao, 40 years, Occ:Fishing, Paidichintapadu Village, Eluru Mandal, West Godavari District, (3) Sri Penumala Suresh, S/o Balaram Murthy, 30 years, Occ: Fishing, Paidichintapadu Village, Eluru Mandal, West Godavari District, and (4) Sri Moru Trimurthulu, S/o Harischandra, 45 years. Occ:Fishing, Paidichintapadu Village, Eluru Mandal, West Godavari District, and examined and on examination they all stated that they are eking out their livelihood by doing fishing and further stated that there are (9) Mandals in Kolleru Wildlife Sanctuary, out of which (7) Mandals Eluru, Pedapadu, Denduluru, Bhimadole, Akiveedu, Unguturu and Nidamarru of West Godavari District while (2) Mandals Kaikaluru and Mandavalli of Krishna District and about

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(122) villages of these (9) Mandals comes under Kolleru Lake and can conduct traditional fishing as per Govt. order and about four thousand people of Paidichintapadu village are depending on fishing for years and they formal five Fishing Societies i.e., (1) Sri Mori Srimannarayana, President, Rama Vaddila Fishing Society, (2) Sri Ghantasala Maha Lakshmudu, President, Sri Seetharamadas Fishing Society, (3) Sri Bale RangaRao, President, Sri Anjaneya Fishing Society, (4) Sri Daggumilli Peteredge, President, Dr. BR Ambedkar Fishing Society and (5) Sri Yalla Prasad, President, Sri Subhash Chandra Bose Fishing Society and each society having (100) members and as they have been conducting traditional fishing for years, the Government also issued orders to conduct traditional fishing vide Proc.No.11982/1999/WL.1 dated 20.07.2006 and the CGS was working as Forest Section Officer and In-charge Deputy Forest Range Officer for (11) villages of Eluru and Denduluru Mandals for the last one year and out of which (9) villages i.e., Gudivaka Lanka, Prathikolla Lanka, Paidichintapadu, Kokkiraya Lanka, Chataparru, Mondikodu,Madhavapuram Pedayaganamilli, Komatilanka belonging to Eluru Mandal while (2) villages i.e., Dosapadu and Pothunuru of Denduluru Mandal and the CGS not allowing them to conduct traditional fishing, making Meruvalu and cutting Kikkisa and on that they along with the other villagers met Sri Mungara Venkateswara Rao, Village Sarpanch and brought this to the notice of Sarpanch sad they along with the Sarpanch met the Accused Officer and requested the Accused Offices but he demanded Rs.1,50,000/- and on that they along with some other fishermen met Sri Saidu Satyanarayana, President, Kolleru Regional Agricultural Fishermen Cooperative Welfare Society, West Godavari and Krishna Districts and informed him about the problems creating by the CGS and when Sri Saidu Satyanarayana met the CGS, he demanded Rs. 1,50,000/- as bribe from Paidichintapadu village for allowing them to conduct traditional fishing and when he requested him, he reduced in Rs.1,00,000/-initially as first instalment by 10.11.2015 and also informed that he will see and collect the bribe amount at the residence of Sri Saidu Satyanarayana at Hanuma Nagar, Eluru and Saidu Satyanarayana informed the same to them and they brought to the notice of the Society Presidents and collected Rs.1,00,000-(Rs.20,000/- from each society) and they handed over Rs.1,00,000/- to Sri Munagara Venkateswara Rao, Sarpanch in the presence of Sri Penumala Prabhakara Rao, Vice Sarpanch and Sri Moru Varadaiah, Ex-Sarpanch and on 10.11.2015 Sarpanch , Vice-Sarpanch and Ex-Sarpanch went to the residence of Sri Saidu Satyanarayana at Hanuman Nagar, Eluru along with the bribe amount and at about 15:00 hours, the CGS came to the residence of Sri Saidu Satyanarayana on motor cycle and collected Rs.1,00,000/- from Sri Saidu Satyanarayana in the presence of Sarpanch, Vice Sarpanch and Ex-Sarpanch and further they stand that they came to know while the CGS was returning on his motor cycle, the ACB officials caught him red handedly and further corroborated the version of Saidu Satyanarayana etc., facts.

The DSP secured the presence of the Presidents of Fishing Societies of Paidichintapadu village (1) Sri Mori Srimannarayana, S/o Tirupataiah, 55 years, Occ: Fishing, President, Rama Vaddila Fishing Society, (2). Sri Ghantasala Maha Lakshmudu, S/o Bala Ramudu, 34 years, Occ: Fishing, President, Sri Seetharamadasu Fishing Society, (3)Sri Bale Ranga Rao, S/o Venkanna, 52 years, Occ: Fishing, President, Sri Anjaneya Fishing Society, (4)Sri Daggumilli Peteredge, S/o Srinivasa Ran 65 years, Occ: Fishing, President, Dr. BR Ambedkar Fishing Society and (3) Sri Yalla Prasad, S/o Vandanam, 55 Years, Occ:Fishing President, Sri Subhash Chandra Bose Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District and examined and on examination they all stated that they have five

societies and each has (100) members and (1) Sri Relangi Karuna S/o Gang Raju (2) Sri Daggumelli Milkyar S/o Srinivasa Rao. (3) Sri Penumala Suresh S/o Balarama Murthy and (4) Sri Moru Trimurthulu, S/o Harischandra are the village elders of Paidichintapadu village and the villagers used to conduct traditional fishing for eking out their livelihood for years and the Government also issued orders to conduct traditional fishing vide Proc.No.11982/1999/WL.I dated 20.07.2006 and also threatening them to book false cases against them and on that they along with the village elders met Sri Mungara Venkateswara Rao, Village Sarpanch and brought this to his notice and Sarpanch and villager elders met the CGS and requested CGS but the demanded Rs.1,50,000/- as mamools and the village elders brought this to the notice of the society president and on that the village elders along with some other fishermen met Sri Saidu Satyanarayana, President. Kolleru Regional Agricultural Fishermen Cooperative Welfare Society, West Godavari and Krishna Districts and informed him about the problems creating by the CGS and when Sri Saidu Satyanarayana met and requested the CGS but he demanded Rs1,50,000-as mamools from Paidichintapadu village for allowing them to conduct traditional fishing and later he reduced to pay Rs.1,00,000 initially as first instalment by 10.11.2015 and also informed that he will come and collect the bribe amount at the residence of Sri Saidu Satyanarayana at Hanuman Nagar, Eluru and Saidu Satyanarayana informed the same to them and they brought to the notice of the Society Presidents and collected Rs.1,00,000/- (Rs 20,000/- from such society) and they handed over Rs.1,00,000/-to Sri Mungara Venkateswara Rao, Sarpanch in the presence of Sri Penumala Prabhakara Rao, Vice Sarpanch and Sri Moru Varadaiah, Ex-Sarpanch and on 10.11.2015 Sarpanch, Vice Sarpanch and Ex-Sarpanch went to the residence of Sri Saidu Satyanarayana at Hanuman Nagar, Eluru along with the bribe amount and at about 15:00 hours, the CGS came to the residence of Sri Saidu Satyanarayana on motor cycle and collected Rs.1,00,000 from Sri Saidu Satyanarayana in the presence of Sarpanch, Vice Sarpanch and Ex-Sarpanch and further they stated that they came to know while the CGS was returning on his motor cycle, the ACB officials caught him red handedly etc facts.

ORAL EVIDENCE :

1) Sri Saidu Satyanarayana, S/o Bala Ramaiah, 54 years, Vaddilu by Caste, President, Krishna, West Godavari Districts Kolleru Regional Agricultural and Fisherman Co- operative Welfare Society District. AP., Paidichintapadu Village, Eluru Mandal, West Godavari.

2) Sri Mungara Venkateswara Rao, S/o Hanoku, 47 years, Vaddilu by Caste, Sarpanch, Paidichintapadu (v) Eluru Mandal, West Godavari District.

3) Sri Penumala Prabhakara Rao, S/o Vaka Raju, 50 years, SC-Mala by caste, Vice- President, Paidichintapadu (v), Eluru Mandal, West Godavari District

4) Sri Mora Varadayya, S/o Bhushanam, 63 years, Vaddilu by caste, Ex-Sarpanch Paidichintapadu (v), Eluru Mandal, West Godavari District.

Above all (4) were examined U/s. 164 Cr.P.C by the Hon'ble I Addl.Jr.Civil Judge, Eluru and they corroborated FIR facts, 161 Cr.P.C Statements etc facts.

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5) Sri Mori Srimannarayana, S/o Tirupataiah 55 years Occ. Fishing, President, Rama Vaddila Fishing Society, Paidichintapadu Village Eluru Mandal, West Godavari District.

6) Sri Ghantasala Maha Lakshmudu, S/o Bala Ramudu, 34 years, Occ: Fishing, President. Sri Seetharamadasu Fishing Society, Paidi chintapadu Village, Eluru Mandal, West Godavari District

7) Sri Bale Ranga Rao, S/o Venkanna, 52 years, Occ: Fishing, President, Sri Anjaneya Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District

8) Sri Daggumilli Peteredge, S/o Srinivasa Rao, 65 years, Occ: Fishing, President, Dr. BR Ambedkar Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District

9) Sri Yalla Prasad, S/o Vandanam, 55 years, Occ: Fishing, President, Sri Subhash Chandra Bose Fishing Society, Paidichintapadu Village, EluruMandal, West Godavari District.

Above 5 to 9 also corroborated 161 Cr.P.C Statements of 1 to 4.

10) Sri Relangi Karuna S/o Ganga Raju. Age: 33 years, Village Elder, Occ; Fisherman, R/o. Paidichintapadu Village, Eluru Mandal, West Godavari District.

11) Sri Daggumelli Milkyar, S/o Srinivasa Rao, Age 40 years, Village Elder. Occ: Fisherman, Paidichintapadu, Eluru Mandal, W.G. District.

12) Sri Penumala Suresh S/o Balarama Murthy, Age: 30 years. Occ: Fisherman, Paidichintapadu Village, Eluru Mandal, W.G. Dist.,

13) Sri Moru Trimurtulu Sri Harischandra, Age: 45 years, Occ: Fisherman. Paidichintapadu Village, Eluru Mandal, West Godavari District.

They are the village elders of Paidichintapadu village and the villagers used to conduct traditional fishing for eking out their livelihood for years and the Government also issued orders to conduct traditional fishing vide Proc.No.11982/1999/WL.I dated 20.07.2006 and also threatening them to book false cases against then and on that they along with the village elders met Sri Mungara Venkateswara Rao, Village Sarpanch and brought this to his notice and Sarpanch and villager elders met the CGS and requested CGS but he demanded Rs.1,50,000 at mamools and the village elders bright this to the notice of the society president and on that the village elders along with some other fishermen met Sri Saidu Satyanarayana, President, Kolleru Regional Agricultural Fishermen Cooperative Welfare Society, West Godavari and Krishna Districts and informed him about the problems creating by the CGS and when Sri Saidu Satyanarayana met and requested the CGS but he demanded Rs.1,50,000/- as mamools from Paidichintapadu village for allowing them to conduct traditional fishing and later he reduced us pay Rs. 100,000 initially as first Instalment by 10.11.2015 and also informed that he will come and collect the bribe amount at the residence of Sri Saidu Satyanarayana at Hanuman Nagar, Eluru and Saidu Satyanarayana informed the same to them and they brought to the notice of the Society Presidents and collected Rs.1,00,000/- (Rs.20,000/- from each society) and they handed over Rs.1,00,000/- to Sri Mungara Venkateswara Rao, Sarpanch in the presence of Sri Penumala Prabhakara Rao, Vice Sarpanch and Sri Moru

Varadaiah, Ex-Sarpanch and on 10.11.2015 Sarpanch, Vice Sarpanch and Ex-Sarpanch went to the residence of Sri Saidu Satyanarayana at Hanuman Nagar, Eluru along with the bribe amount and at about 15:00 hours, the CGS came to the residence of Sri Saidu Satyanarayana on motor cycle and collected Rs. 1,00,000/- from Sri Saidu Satyanarayana in the presence of Sarpanch, Vice Sarpanch and Ex-Sarpanch and further they stated that they came to know while the CGS was returning on his motor cycle, the ACB officials caught him red handedly etc facts.

14) Sri M. Krishnam Raju, Contract Staff, Forest Beat Officer,Paidichintapadu Beat, Eluru Section, He stated that while on beat duty at about 7.00 AM on 04.11.2015 at Paidichintapadu village near +5 contour of Kolleru Wildlife Sanctuary found some villagers of Paidichintapadu and informed over phone on 04.11.2015 from Paidichintapadu to FRO and CGS (Sri Md. Abdul Bari) that villagers of Paidichintapadu are likely to violate sections under Wild Life Protection Act, 1973 thereby FRO and CGS came to the spot on 04.11.2015 and warned villagers of Paidichintapadu not to culture fish, who later went away from the spot.

15) Sri P. Sivasankara Reddy, SFS, Divisional Forest Officer (FAC), Wildlife Management Division,Eluru who issued reply in (i) Lr.Rc.No.1441/2013/WL.I, dated 23.02.2016 which speaks that the CGS did not submit APRs except for the years 2011, 2014 & 2015 and also furnished reply in (ii) Lr.Rc.No.1535/2015/WL.I, dated 23.02.2016 which speaks that Villagers of Paidichintapadu (v) along with other villages were given permission for carrying out traditional fishing as per Proc.No.11982/1999/WL.1, dated 20.07.2006 of the Chief Wildlife Warden, AP., Hyderabad, (ii) Lr.Rc.No.1441/2018/WL-1, dated 17.02.2016 which speaks about forwarding the representation of Sri M. Krishnam Raju, Forest Beat Officer of Paidichintapadu Beat by CGS.

16) Sri Villa Ramana Rao: He is the 1st mediator and speaks about the contents of Surprise Check Mediators' Report dated 10-11-2015 (Mediator-I).

17) Sri Kollati Ravi: He is the 2nd mediator and speaks about the contents of Surprise Check Mediators Report dated 10.11.2015 (Mediator-II).

18) Sri U.J. Wilson, formerly, Inspector of Police, ACB, Eluru Range, Eluru: To speak to the facts that assisted to Sri K. Rajendra Rao, DSP, ACB. Eluru for conducting surprise check and seized cash of Rs.1,00,000/- from the possession of CGS on 10.11.2015 and etc. facts.

19) Sri K. Rajendra Rao, formerly Deputy Supdt of Police, ACB, Eluru Range, Eluru now Addl. SP(Retd.), R/o Visakhapatnam: To speak to the facts that he conducted surprise check on 10.11.2015 and seized cash Rs.1,00,000/- from CGS, As per the Instructions of BO, the criminal case was registered against the COS and investigated matter and examined the relevant witnesses and recorded their statements (1 to 9) u/s 161 Cr.P.C., and also recorded the 164 Cr.P.C. statements 1 to 4 by the Hon'ble Court and collected documents from concerned institutions and submitted final report to the Head Office and etc.

20) Sri TSRK Prasad, Dy. Supdt of Police, ACB, Eluru Range, Eluru To speak to the facts that as per the instructions of Head Office and submitted DACs against CGS to Op. DG, ACB, ACB, AP, Vijayawada.

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DOCUMENTARY EVIDENCE:

Following is the documentary evidence available to substantiate the allegation:

1) Copy of FIR in Cr.No.11/RCO-EWG/2015: It reveals that a case was registered for corruption and misconduct against the Accused Officer.

2) Surprise Check Mediators Report:-It reveals that a Surprise Check was conducted in the presence of mediators after collecting mamools by the Accused Officer vide Rd. No:7/SC- EWG/2015 dated 10-11-2015 from 1520 hours to 1800 hours.

3) Fishing permits Lr. Re.No.1535/2015/WL-1, Did.23.02.2016 of DFO, Wildlife Management Division, Eluru: In which Divisional Forest Officer, Wildlife Management Division, Eluru enclosed two Proceedings which reveals that i) Rc.No.329/2013/W.L.O, dated 26.05.2013 permitted upto 850 villagers of Paidichintapadu to carryout traditional fishing from 26.05.2013 to 30.05.2014, while ii) Ro.No.301/13/WL2, Did 06.08.2013 permitted up to 290 villagers of Paidi chintapadu from 06.08.2013 to 31.05.2014 to conduct traditional fishing.

4) APRs - Lr.Rc.No.1441/2015/WL-1, dated 23.02.2016 of DFO, Wildlife Management Division, Eluru: It reveals that the CGSdid not submit APRS except for the years 2011, 2014 & 2015.

5) Representation of FBO - Lr.Rc.No.1441/2015/WL-1, dated 17.02.2016 of DFO, Wildlife Management Division, Eluru: It reveals that forwarding the representation of Sri M. Krishnam Raju, Forest Beat Officer of Paidichintapadu Beat by CGS.

6) Sri Md. Abdul Bari, Forest Section Officer, and I/c Deputy Range Officer, Wild Life Management Division, Eluru Section: Lr.Rc.No.1535/2015/WL-1, dated 16.12.2015 of the Divisional Forest Officer (FAC), Wildlife Management Division, Eluru: In which DFO informed that CGS is kept in-charge of Dy. Range, Officer of Wild Life Management Division of Eluru Section as per Rc.No.518/2014/WL1, Dud.25.11.2014 of the Divisional Forest Officer, Wild Life Management Division, Eluru.

7) 161 & 164 Cr.P.C, statements of Sri Saidu Satyanarayana, S/o Bala Ramaiah. 54 years. Vaddilu by Caste President, Krishna, West Godavari Districts Kolleru Regional Agricultural and Fisherman Co-operative Welfare Society, AP., Paidichintapadu Village, Eluru Mandal, West Godavari District.

8) 161 & 164 Cr.P.C. statements of Sri Mungara Venkateswara Rao, S/o Hanoku, 47 years, Vaddilu by Case, Sarpanch, Paidichintapadu (v), Eluru Mandal, West Godavari District.

9) 161 & 164 Cr.P.C statements of Sri Penumala Prabhakara Rao, S/o Vaka Raju, 50 years, SC-Mala by caste, Vice-President, Paidichintapadu (v), Eluru Mandal, West Godavari District.

10) 161 & 164 Cr.P.C statements of Sri Moru Varadayya, S/o Bhushanam, 63 years, Vaddilu by caste, Ex-Sarpanch Paidichintapadu (v), Eluru Mandal, West Godavari District.

11) 161 Cr.P.C statement of Sri Mori Srimannarayana, S/o Tirupataiah, 55 years, Occ: Fishing, President, Rama Vaddila Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

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12) 161 Cr.P.C statement of Sri GhantasalaMaha Lakshmudu, S/o BalaRamudu, 54 years, Occ: Fishing, President, Sri Seetharamadasa Fishing Society, Paidichintapadu Village, Eluru, Mandal, West Godavari District.

13) 161 Cr.P.C. statement of Sri Bale Ranga Rao, S/o Venkanna, 52 years. Occ: Fishing, President, Sri Anjaneya Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

14) 161 Cr.P.C. statement of Sri Daggumilli Peteredge, S/o Srinivasa Rao, 65 years, Occ: Fishing. President, Dr. BR Ambedkar Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

15) 161 Cr.P.C. statement of Sri Yalla Prasad, S/o Vandanam, 55 years, Occ: Fishing President, Sri Subhash Chandra Bose Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

16) 161 Cr.P.C. statement of Sri Relangi Karuna S/o Ganga Raju. Age: 33 years, Village Elder, Occ: Fisherman, R/o Paidichintapadu Village, Eluru Mandal, West Godavari District.

17) 161 Cr.P.C. statement of Sri Daggumelli Milkyar S/o Srinivasa Rao, Age:40 years, Village Elder, Occ: Fisherman, Paidi chintapadu, Eluru Mandal, West Godavari District.

18) 161 Cr.P.C. statement of Sri Penumala Suresh, S/o Balarama Murthy. Age: 30 years Occ: Fisherman, Paidichintapadu Village, Eluru Mandal, West Godavari District.

19) 161 Cr.P.C. statement of Sri Moru Trimurtulu, S/o Harischandra, Age:45 years. Occ:Fisherman, Paidichintapadu Village, Eluru Mandal, West Godavari District.

20) 161 Cr.P.C. statement of Sri M. KrishnamRaju, Contract Staff, Forest Beat Officer Paidichintapadu Beat. Eluru Section.

21)161 Cr.P.C. statement ofSri P. Sivasankara Reddy, SFS Divisional Forest Officer (FAC), Wildlife Management Division, Eluru.

22) Seized Cash of Rs.1,00,000/- from the right side pant pocket of CGS before the mediators while drafting mediators on 10.11.2015.

23) Sri U.J. Wilson, formerly, Inspector of Police, ACB, Eluru Range, Eluru now V & D.

24) Sri K. Rajendra Rao, formerly, DSP, ACB, Eluru Range, Eluru now Addl. SP (Retd.), Visakhapatnam.

The oral and documentary evidence available on record is sufficient to substantiate the allegation against the CGScollected mamools from the villagers of Paidichintapadu.

Thus, the CGSby his above mentioned acts exhibited a lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 8(A) r/w 3(1) & 3(2) of A.P. Civil Services (Conduct) Rules, 1964.

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CHARGE-II:

That the Charged Government Servant failed to submit his Annual Property Returns during his service from 1999 to 2015 (except for the years 2011, 2014 and 2015).

During the course of investigation, the DFO, Wildlife Management Division, Eluru through their Lr.Rc.No.1441/2015/WL.I, dated 23.02.2016 of DFO, Wildlife Management Division, Eluru informed that the CGS did not submit APRs except for the years 2011, 2014 & 2015.

ORAL EVIDENCE:

1) Sri P. Sivasankara Reddy, SFS, Divisional Forest Officer (FAC), Wildlife Management Division, Eluru.

2) Sri K. Rajendra Rao, formerly DSP, ACB, Eluru Range, Eluru, now Addl. SP (Retd.),Visakhapatnam.

DOCUMENTARY EVIDENCE:

Lr.Rc.No.1441/2015/WL-1, dated 23.02.2016 of DFO, Wildlife Management Division, Eluru.

Thus, the Charged Government Servant by his abovementioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rule 9(7) r/w 3(1) & (2) of A.P. Civil Services (Conduct) Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI MD. ABDUL BARI, FORMERLY FOREST SECTION OFFICER AND IN-CHARGE DEPUTY RANGE OFFICER, WILDLIFE MANAGEMENT DIVISION, ELURU SECTION, ELURU ARE PROPOSED TO BE SUSTAINED.

1) Sri Saidu Satyanarayana, S/o Bala Ramaiah, 54 years, Vaddilu by Caste, President, Krishna, West Godavari Districts Kolleru Regional Agricultural and Fisherman Co-operative Welfare Society, AP, Paidichintapadu Village, Eluru Mandal, West Godavari District.

2) Sri Mungara Venkateswara Rao, S/o Hanoku, 47 years, Vaddilu by Caste, Sarpanch Paidichintapadu (v), Eluru Mandal, West Godavari District.

3) Si Penumala Prabhakara Rao, S/o Vaka Raju, 30 years, SC-Mala by caste, Vice-President, Paidichintapadu (v), Eluru Mandal, West Godavari District.

4) Sri Moru Varadayya, S/o Bhushanam, 63 years, Vaddilu by caste, Ex-Sarpanch, Paidichintapadu (v), Eluru Mandal, West Godavari District.

5) Sri Mori Srimannarayana, S/o Tirupataiah, 55 years, Occ:Fishing, President, Rama Vaddila Fishing Society, Paidi chintapadu Village, Eluru Mandal, West Godavari District.

6) Sri Ghantasala Maha Lakshmudu, S/o Bala Ramudu, 54 years, Occ: Fishing, President, Sri Seetharamadasu Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

7) Sri Bale Ranga Rao, S/oVenkanna, 32 years, Occ: Fishing, President, Sri Anjaneya Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

8) Sri Daggumilli Peteredge, S/o Srinivasa Rao, 65 years, Occ: Fishing, President, Dr. BR Ambedkar Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

9) Sri Yalla Prasad, S/o Vandanam, 55 years, Occ: Fishing, President, Sri Subhash Chandra Bose Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

10) Sri Relangi Karuna, S/o Ganga Raju, Age: 33 years, Village Elder, Occ: Fisherman, R/o. Paidichintapadu Village, Eluru Mandal, West Godavari District.

11) Sri Daggumelli Milkyar, S/o Srinivasa Rao, Age: 40 years, Village Elder, Occ: Fisherman Paidichintapadu, Eluru Mandal, W.G. District.

12) Sri Penumala Suresh, S/o Balarama Murthy, Age: 30 years, Occ: Fisherman, Paidichintapadu Village, Eluru Mandal, W.G. District.

13) Sri Moru Trimurthulu, S/o Harischandra, Age: 45 years, Occ: Fisherman Paidi chintapadu Village, Eluru Mandal, W.G. District.

14) Sri Moru Krishnam Raju. S/o late Sambamurthy, Age: 28 years, Occ: Contract Stall, Forest Best Officer, Paidichintapadu Beat, Eluru Section.

15) Sri P. Sivasankara Reddy, SFS Divisional, Forest Officer, (FAC), Wildlife Management Division, Eluru.

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16) Sri Villa Ramana Rao, S/o Veerraju, Age: 45 years, Occ: Fisheries Development Officer (FDO) Technical Assistant, O/o Dy. Director Fisheries, Eluru, W.G. Dist., R/o Kantam Srinivasa Rao's house near Ayyappa Swamy Temple, Savitrupeta, Tadepalligudem, W.G. District (Mediator-I).

17) Sri Kollati Ravi, S/o Varahaluraju, Age: 28 years, Occ: Assistant Inspector Fisheries, O/o. Asst. Inspector Fisheries, Pedapadu, W.G. District, R/o Lakshmi Narasimha Nilayam, Hanuman Nagar, Rajula colony, Eluru, W.G. District. (Mediator-II).

18) Seized Cash of Rs.1,00,000/- from the right side pant pocket of CGS before the mediators while drafting mediators on 10.11.2015.

19) Sri U.J. Wilson, formerly Inspector of Police, ACB, Eluru Range, Eluru now V&D, Eluru.

20) Sri K. Rajendra Rao, formerly Dy. Supdt. of Police, ACB, Eluru Range, Eluru now Addl. SP (Retd.), R/o Visakhapatnam.

21) Sri TSRK Prasad, Dy. Supdt. of Police, ACB, Eluru Range, Eluru.

22) Any other witnesses may be produced during the course of conducting departmental enquiry.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

ANNEXURE-IV

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI MD. ABDUL BARI, FORMERLY FOREST SECTION OFFICER AND IN-CHARGE DEPUTY RANGE OFFICER, WILDLIFE MANAGEMENT DIVISION, ELURU SECTION, ELURU ARE PROPOSED TO BE SUSTAINED

1) Copy of FIR in Cr.No.11/RCO-EWG/2015: It reveals that a case was registered for corruption and misconduct against the Accused Officer.

2) Surprise Check Mediators Report:-It reveals that a Surprise Check was conducted in the presence of mediators after collecting mamools for the Accused Officer Vide Re. No.7/SC- EWG/2015 dated 10-11-2015 from 1520 hours to 1800 hours.

3) 161 & 164 Cr.P.C statements of Sri Saidu Satyanarayana, S/o Bala Ramaiah, 54 years, Vaddilu by Caste, President, Krishna West Godavari Districts Kolleru Regional Agricultural and Fisherman Co-operative Welfare Society, AP Paidichintapadu Village, Eluru Mandal, West Godavari District.

4) 161 & 164 Cr.P.C statements of Sri Mungara Venkateswara Ray, S/o Hanoku, 47 years, Vaddilu by Caste, Sarpanch, Paidi chintapadu (v), Eluru Mandal, West Godavari District.

5) 161 & 164 Cr.P.C. statements of Sri Penumala Prabhakara Rao, S/o Vaka Raju, 50 years, SC-Mala by caste, Vice-President, Paidichintapadu (v), Eluru Mandal, West Godavari District.

6) 161 & 164 Cr.P.C. statements of St Moru Varadayya, St Bhushanam, 63 years, Vaddilu by caste, Ex-Sarpanch, Paidichintapadu (v), Eluru Mandal, West Godavari District.

7) 161 Cr.P.C statement of Sri Mori Srimannarayana, S/o Tirupataiah, 55 years, Occ: Fishing, President, Rama Vaddila Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

8) 161 Cr.P.C statement of Sri Ghantasala Maha Lakshmudu, S/o Bala Ramudu, 54 years, Occ: Fishing, President, Sri Seetharamadasu Fishing Society, Paidichintapadu Village, Eluru, Mandal, West Godavari District.

9) 161 Cr.P.C statement of Sri Bale Ranga Rao, S/o Venkanna, 52 years, Occ: Fishing, President, Sri Anjaneya Fishing Society Paidichintapadu Village, Eluru Mandal, West Godavari District.

10) 161 Cr.P.C. statement of Sri Daggumilli Peteredge, S/o Srinivasa Ran, 65 years, Occ Fishing President, Dr. BR Ambedkar Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

11) 161 Cr.P.C statement of Sri Yalla Prasad, S/o Vandanam, 55 years, Occ: Fishing, President, Sri Subhash Chandra Bose Fishing Society, Paidichintapadu Village, Eluru Mandal, West Godavari District.

12) Sri Relangi Karuna S/o Ganga Raju, Age, 33 years, Village Elder, Occ: Fisherman, R/o Paidichintapadu Village, Eluru Mandal, West Godavari District.

13) Sri Daggumelli Milkyar, S/o Srinivasa Rao, Age: 40 years, Village Elder, Occ: Fisherman, Paidi chintapadu, Eluru Mandal, West Godavari District.

14) Sri Penumala Suresh, S/o Balarama Murthy, Age: 30 years, Occ: Fisherman, Paidi chintapadu Village, Eluru Mandal, West Godavari District.

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15) Sri Moru Trimurthulu, S/o Harischandra, Age: 45 years, Occ: Fisherman, Paidi chintapadu Village, Eluru Mandal, West Godavari District.

16) Sri Moru Krishnam Raju, S/o late Sambamurthy, Age 28 years, Occ: Contract Staff, Forest Beat Officer, Paidichintapadu Beat, Eluru Section.

17) Sri P. Sivasankara Reddy, SFS, Divisional Forest Officer (FAC), Wildlife Management Division, Eluru.

18) Fishing permits Lr.Rc.No.1535/2015/WL-1, dated 23.02.2016 of DFO, Wildlife Management Division, Eluru: In which Divisional Forest Officer, Wildlife Management Division, Eluru enclosed two Proceedings which reveals that i) Rc.No.329/2013/W.L.O, dated 26.05.2013 permitted up to 850 villagers of Paidichintapadu to carryout traditional fishing from 26.05.2013 to 30.05.2014, while ii) Rc.No.301/13/WL2, dated 06.08.2013 permitted up to 290 villagers of Paidichintapadu from 06.08.2013 to 31.05.2014 to conduct traditional fishing.

19) APRS Lr.Rc.No.1441/2015/WL-1, dated 23.02.2016 of DFO, Wildlife Management Division, Eluru: It reveals that Sri Mohammad Abdul Bari, CGS did not submit APRs except for the years 2011, 2014 & 2015.

20) Representation of FBO - Lr.Rc.No.1441/2015/WL-1, dated 17.02.2016 of DFO, Wildlife Management Division, Eluru. It reveals that forwarding the representation of Sri M. Krishnam Raju, Forest Beat Officer of Paidichintapadu Beat by CGS.

21) Sri Md. Abdul Bari, FSO, and I/C Dy. Range Officer, Wild Life Management Division, Eluru Section: Lr.Rc.No.1535/2015/WL-1,dated 16.12.2015 of the Divisional Forest Officer (FAC), Wildlife Management Division, Eluru: In which DFO informed that CGS is kept in-charge of Dy. Range Officer of Wild Life Management Division of Eluru Section as per Rc.No.518/2014/WL.I, dated 25.11.2014 of the Divisional Forest Officer, Wild Life Management Division, Eluru.

22) Any other documents may be produced during the course of conducting departmental enquiry.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER